

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF UTAH, IN AND FOR UTAH COUNTY.

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Provo Reservoir Company,)	
Plaintiff,)	
VS. (No. 2888 Civil.
Provo City et al,)	
Defendants,)	<u>ORDER TO SHOW CAUSE.</u>

The Lake Bottom Canal Company, one of the parties to the above entitled cause, having filed its verified petition in this court and cause, setting forth and alleging the necessity for the construction and installation of certain improvements at the heads of several diversions from Spring Creek and Lake Bottom Channel from Provo River, in Utah County, State of Utah, used by the parties hereinafter named and mentioned, for the purpose of diverting certain waters from said Spring Creek and Lake Bottom Channel claimed by them respectively, and awarded to them respectively, in the decree in the above entitled cause, which said petition is hereby referred to and made a part of this order to show cause; and this court having read said verified petition and having fully considered the same, and it now appearing to the above entitled court that it is necessary that the improvements mentioned and described in said petition, be constructed and installed for the purposes therein set forth; and it also appearing to said court that it is necessary that said court issue an order to show cause requiring the interested parties hereinafter mentioned to be and appear before said court at the court room thereof, upon a day certain, to show cause, if any they or either of them have, why said improvements should not be constructed and installed as prayed for in said petition; and to further show cause, if any they or either of them have, why the costs of the said construction and installation of said improvements should not be determined and assessed against one or more or all of the parties hereinafter mentioned; and it further appearing to the court that each of the parties named and mentioned in said petition and hereinafter named and mentioned, is an interested party in the matter of the construction and installation of the improvements mentioned and described in said petition; and it further appear-

Provo Reservoir Company,)
Plaintiff,)
VS.)
Provo City et al,)
Defendants,)

No. 2888 Civil.

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#1457

Served this Order to Show Cause and copy of "Petition
of LAKE BOTTOM CANAL COMPANY, a corporation, FOR AN ORDER
ON CONSTRUCTION AND INSTALLATION OF MEASURING GATES"

on A. L. Tanner *all served 12-12-33* on Margaret Gard *served 12-12-33*
on Esthma Tanner
on Frank Williamson on E. H. Jolly *served 12-12-33*
on Arthur Clyde on Henry White *served 12-12-33*
on Rex Griffith *by his wife, Ada Griffith* on Owen Davis *lives at Soa, Wt.*
on J.M. Bonny *Ada Griffith* on Frank Jones *served 12-12-33*
on Reed Nuttall *served 12-12-33* on Sidney Harding *served 12-12-33*
on Hugh L. Syme *is dead*
on W.A. Nuttall *served 12-12-33*
on John Kuhn *served 12-12-33*
on Mary A. Brown *served 12-12-33*
on Reed Brown *served 12-12-33*
on Charles H. Davies *served 12-11-33*
on Clara Gay *in Calif. served 12-11-33*
on J. Joseph Johnson *served 12-11-33*
on Fred Martinez *in Colorado.*
on J.H. Hottt *served 12-12-33*
on A.F. Synder *served 12-12-33*
on George Long *in Idaho; 11-33*
on Elmer Lee *served 12-11-33*
on Mrs. L.S. Gibson *served 12-11-33*
on Mac Brickey *served 12-11-33*
on Frank Bethers *served 12-11-33*
on Heber Harding *served 12-11-33*
on Ashted Taylor *served 12-11-33*

the day of Dec. 1933
all defendants were served
at or near Provo, Utah

E.G. Durnell, Sheriff

By *John E. Evans* Deputy
RECEIVED AT

SHERIFF'S OFFICE,

DEC 1 1933

AT O'CLOCK M.

E. G. DURNELL,

Utah County, Utah

It is NOW, THEREFORE, ORDERED, ADJUDGED and DECREED that you Sidney Harding, A.L. Tanner, Esthma Tanner, Frank Williamson, Arthur Clyde, Rex Griffith, J.M. Bonny, Margaret Gard, B.H. Jolly, Henry White, Owen Davis, Frank Jones, Reed Nuttal, Hugh L. Syme, W.A. Nuttal, John Kuhni, Mary A. Brown, Reed Brown, Charles H. Davies, Clara Gay, J. Joseph Johnson, Fred Martinez, J.H. Hortt, A.F. Snyder, George Long, Elmer Lee, Mrs. L.S. Gibson, Mac Brickey, Frank Bethers, Heber Harding, and Ashted Taylor, and each of you be and appear before the above entitled court at the Court room of said court at Provo City, Utah County, State of Utah, on the 22 day of December A.D. 1933, at the hour of ten o'clock A.M., and show cause, if any you may have, why the above entitled court should not make and enter in the above entitled cause, an order, judgement and decree, authorizing and directing T.F. Wentz, the commissioner appointed by the above entitled court, to construct and install measuring gates as mentioned and described in said petition at the diversions on Spring Creek and Lake Bottom Channel from Provo River where you and each of you divert waters from said Spring Creek and Lake Bottom Channel from Provo River claimed by you and awarded to you and each of you and your predecessors in interest and title by the decree in the above entitled cause, and to show cause, if any you have, why said court should not make and enter in the above entitled cause, an order, judgement and decree requiring any or all of you to pay the costs of the construction and installation of said improvements, by said T.F. Wentz, as such commissioner, in such sums and in such proportions and at such times as said court, at said hearing, may determine and may deem just and equitable in the premises.

It is further ORDERED, ADJUDGED and DECREED that this Order to Show Cause, together with a copy of the said petition of said Lake Bottom Canal Company, a corporation, hereinbefore mentioned, be served upon each of the parties hereinbefore named and mentioned in said petition, and in this Order to Show Cause, at least ten days before the 22 day of December, 1933.

WITNESSED at Provo City, Utah County, State of Utah,
A.D. 1933.
BY THE COURT